THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.21491 of 2006

Dated: 04.12.2007

Between:

S.Raghunadh Reddy. .. Petitioner

And

The Commissioner, Endowments Department,
Hyderabad
and others. .. Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.21491 of 2006

ORDER:

This writ petition is filed seeking a Mandamus to direct the respondents to initiate proceedings for promoting the petitioner to the post of Senior Assistant by upgrading/reviving the existing post of Junior Assistant in Seethanagaram group of temples, Tadepalli (Mandal), Guntur District, or alternatively, to appoint the petitioner by transfer to the post of Executive Officer Grade III from the category of Junior Assistant working
in the institution published under Section 6 (a) (b) (c) and (d) of the A.P.Charitable and Hindu Religious Institutions & Endowments Act, 1987, as per G.O.Ms.No.262 Revenue dated 20.05.2002.

2. It appears, the petitioner was initially appointed as Junior Assistant on 17.07.1987 in Seethanagaram group of temples, Tadepalli Mandal, Guntur District, and as of now, he is put in more than 20 years of service.

3. It is the grievance of the petitioner that though he had put in 20 years of service, he has not been promoted to the higher post of Senior Assistant or Executive Officer Grade III as per G.O.Ms.No.262, Revenue, dated 20.05.2002. The petitioner alleged that on three occasions, employees from the group of other temples were drafted

into Seethanagaram group of temples as Junior Assistants, and thereafter, their posts were upgraded as Senior Assistants, ignoring him. According to the petitioner, he is entitled for appointment as Senior Assistant in Seethanagaram group of temples.

4. In the counter filed by the respondents, the fact of other employees, who were drafted from other group of temples into Seethanagaram group of temples, being upgraded as Senior Assistants, ignoring the petitioner, is not denied. On the other hand, the respondents state that due to mistake, the employees of other group of temples, who were drafted into Seethanagaram group of temples, were promoted/upgraded as Senior Assistants, ignoring the petitioner, and there is no Senior Assistant post available as of now. After transfer of those persons drafted from outside, the posts of Senior Assistants have been downgraded. Now, yet another stand is taken by the respondents stating that some other seniors are waiting for promotion to the post of Executive Officer Grade III, but the entitlement of the petitioner for promotion to the post of Senior Assistant, in view of the fact that he has passed the departmental tests, is not denied.

5. In view of the averments made in the counter affidavit, it is clear that the respondents have not denied the fact that on three occasions, some employees of other group of temples were drafted into Seethanagaram group of temples as Junior Assistants, and thereafter, their posts were upgraded as Senior Assistants. It is also not the case of the respondents that the petitioner is not entitled for being upgraded to the post of Senior Assistant/Executive Officer Grade III.

6. Under those circumstances, the 1st respondent is directed to consider the case of the petitioner for being promoted to the post of

Senior Assistant by upgrading/reviving the existing post of Junior Assistant in Seethanagaram group of temples, Tadepalli (Mandal), Guntur District or alternatively consider the appointment of the petitioner by transfer to the post of Executive Officer Grade III from the category of Junior Assistant working in the institution published under Section 6 (a) (b) (c) and (d) of the Act as per G.O.Ms.No.262 Revenue dated 20.05.2002 and pass appropriate orders as per the law, within a period of eight weeks from the date of receipt of a copy of this order, and communicate the same to the petitioner.

7. Accordingly, the writ petition is disposed of. No order as to costs.

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(C.V.RAMULU,J)

Dt.04.12.2007

v v